

STATE OF MICHIGAN  
BEFORE THE MICHIGAN PUBLIC SERVICE COMMISSION

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In the matter of the application of	)	
<b>TOTAL CALL MOBILE, INC.,</b>	)	
for designation as an eligible telecommunications	)	Case No. U-16941
carrier in the state of Michigan.	)	
_____	)	

At the December 20, 2016 meeting of the Michigan Public Service Commission in Lansing,  
Michigan.

PRESENT: Hon. Sally A. Talberg, Chairman  
Hon. Norman J. Saari, Commissioner  
Hon. Rachael A. Eubanks, Commissioner

**ORDER**

On December 29, 2011, Total Call Mobile, Inc. (TCM) filed an application for designation as a wireless eligible telecommunications carrier (ETC) for purposes of receiving Lifeline universal service fund support. In the June 26, 2012 order in Case No. U-16941, the Commission approved the application.

On December 2, 2016, TCM filed an application requesting to relinquish its wireless ETC status effective December 31, 2016. On November 3, 2016, TCM filed a notice of intent to transfer a number of their wireless Lifeline customers to Boomerang Wireless, LLC, d/b/a enTouch Wireless. This notice of intent to transfer indicates that the estimated date of completion for this transaction is November 29, 2016. On December 7, 2016, TCM filed in this docket a Notice of Completion of Transfer of Customers. The transfer of customers was officially

completed on November 29, 2016. As a result of this transfer of customers, TCM states that they now have only 11 current Lifeline subscribers.

47 USC 214(e)(4) provides as follows:

A State commission . . . shall permit an eligible telecommunications carrier to relinquish its designation as such a carrier in any area served by more than one eligible telecommunications carrier. . . Prior to permitting a telecommunications carrier designated as an eligible telecommunications carrier to cease providing universal service in an area served by more than one eligible telecommunications carrier, the State commission . . . shall require the remaining eligible telecommunications carrier or carriers to ensure that all customers served by the relinquishing carrier will continue to be served, and shall require sufficient notice to permit the purchase or construction of adequate facilities by any remaining eligible telecommunications carrier. The State commission . . . shall establish a time, not to exceed one year after [approval of] such relinquishment under this paragraph, within which such purchase or construction shall be completed.

*See also*, 47 CFR 54.205. Thus, relinquishment may be granted to a carrier for any area that is served by more than one ETC. The Universal Service Administrative Company (USAC) has assigned study area code (SAC) 319031 to TCM to represent its ETC service area in Michigan.

TCM has attached and included in its December 2, 2016 application an addendum that provides a list of incumbent local exchange carrier ETC providers, as well as a list of wireless ETC providers who fall within TCM's service area. Based upon the number of additional ETCs serving throughout TCM's service area, the Commission is confident that all customers served by the relinquishing ETC will continue to receive service. The Commission believes that it is unlikely that the purchase or construction of additional facilities will be required to serve any of TCM's Lifeline customers; however, in accordance with 47 USC 214(e)(4), the Commission sets December 31, 2017, as the deadline for completion of any such purchase or construction.

According to the December 2, 2016 application, TCM has begun taking steps to inform its customers of the company's intentions. On December 1, 2016, a notification letter was sent to each TCM Lifeline subscriber informing them that TCM is planning to cease Lifeline services

effective December 31, 2016 upon regulatory approval. TCM submitted a copy of the notice and has attached it to their application (Exhibit A). The Commission Staff (Staff) has reviewed the notice and finds that it adequately informs customers of the pending change. The notice informs customers that they will provide further notice of the exact discontinuance date, pending Commission approval of relinquishment. The notice also contains a link to a list of other ETC providers on the USAC website. Customers have also been provided with a customer assistance number to call for any questions or assistance. The Staff supports TCM's application to relinquish its wireless ETC designation.

In the application, TCM also requests a waiver of MCL 484.2313(2) and (3). However, MCL 484.2313(1) states:

A telecommunication provider that provides either basic local exchange or toll service, or both, shall not discontinue either service to an exchange unless 1 or more alternative providers for toll service, or 2 or more alternative providers for basic local exchange service, are furnishing a comparable voice service to the customers in the exchange. A comparable voice service includes any 2-way voice service offered through any form of technology that is capable of placing and receiving calls from a provider of basic local exchange service, including voice over internet protocol services and wireless services.

As a wireless provider, TCM is not a telecommunication provider that provides basic local exchange or toll service. Therefore, these requirements do not apply to TCM, and the requested waiver is unnecessary.

The Commission accepts the relinquishment application of the wireless ETC designation of TCM effective December 31, 2016. The Commission requires TCM to provide notice to current Lifeline customers of the final date of service after the relinquishment application is approved. The notice shall be filed in this docket within five business days of notifying its current Lifeline customers.

THEREFORE, IT IS ORDERED that:

A. The eligible telecommunications carrier designation of Total Call Mobile, Inc., is relinquished effective December 31, 2016.

B. Total Call Mobile, Inc., shall provide a second notice to inform its current Lifeline customers with the official date of discontinuance. A copy of the notice shall be filed in this docket within five business days of its mailing to current Lifeline customers.

The Commission reserves jurisdiction and may issue further orders as necessary.

Any party aggrieved by this order may file an action in the appropriate federal District Court pursuant to 28 USC 1331. To comply with the Michigan Rules of Court's requirement to notify the Commission of an appeal, appellants shall send required notices to both the Commission's Executive Secretary and to the Commission's Legal Counsel. Electronic notifications should be sent to the Executive Secretary at [mpscedockets@michigan.gov](mailto:mpscedockets@michigan.gov) and to the Michigan Department of the Attorney General - Public Service Division at [pungpl@michigan.gov](mailto:pungpl@michigan.gov). In lieu of electronic submissions, paper copies of such notifications may be sent to the Executive Secretary and the Attorney General - Public Service Division at 7109 W. Saginaw Hwy., Lansing, MI 48917.

MICHIGAN PUBLIC SERVICE COMMISSION

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Sally A. Talberg, Chairman

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Norman J. Saari, Commissioner

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Rachael A. Eubanks, Commissioner

By its action of December 20, 2016.

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Kavita Kale, Executive Secretary